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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MATCONUSA LP,

11 Plaintiff,

12 v.

13 HOUSTON CASUALTY
14 COMPANY, et al.,

15 Defendants.

CASE NO. C19-1952JLR

MINUTE ORDER

16 The following minute order is made by the direction of the court, the Honorable
17 James L. Robart:

18 Before the court is Defendant Houston Casualty Company's ("Houston") reply in
19 support of its motion for partial summary judgment. (Reply (Dkt. # 221); *see* Mot. (Dkt.
20 # 212).) In its reply, Houston moves the court to strike certain statements and testimony
21 from the Rule 30(b)(6) deposition of non-party Graham Construction that Plaintiff
22 MatconUSA LP ("Matcon") cited in its response to the motion for summary judgment.

1 (Reply at 1-4; *see generally* Resp. (Dkt. # 215).) Because Houston included its motion to
2 strike in its reply, Matcon has not had an opportunity to respond to that motion. *See*
3 Local Rules W.D. Wash. LCR 7(g) (authorizing surreplies solely for the purpose of
4 asking the court to strike material contained in a reply brief).

5 In light of the importance of the cited statements and Graham Construction's Rule
6 30(b)(6) deposition to Matcon's response to the motion for summary judgment, the court
7 ORDERS that Matcon may file an optional surreply by no later than **February 6, 2023**,
8 for the sole purpose of responding to Houston's motion to strike. Matcon's surreply shall
9 not exceed three pages in length. The court DIRECTS the Clerk to renote Houston's
10 motion for partial summary judgment (Dkt. # 212) on February 6, 2023.

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12 Filed and entered this 1st day of February, 2023.

13 RAVI SUBRAMANIAN
14 Clerk of Court

15 s/ Ashleigh Drecktrah
16 Deputy Clerk
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